



COMMONS REGISTRATION ACT 1965

Reference No.37/D/81

In the Matter of Land at Chuck Hatch and
Golden Castle, Hartfield, East Sussex (No.2).

DECISION

This dispute relates to the registration at Entry No.1 in the Rights Section of Register Unit No.CL 58 in the Register of Common Land maintained by the former East Sussex County Council and is occasioned by Objection No.9 made by Col.and Mrs R.E.Burton and noted in the Register on 5th December 1969.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 21st November 1974. The hearing was attended by Mr Jack Humphrey, who with his wife applied for the registration, and by Mr A.K.Baird, the successor in title of Col.and Mrs Burton.

The right of common registered is: "Pasture and herbage for 1 mill horse, 12 cattle and 50 breeding ewes, pannage for 2 pigs; estovers over the whole of the land comprised in this register unit", attached to Edgemount, Coleman's Hatch.

For the reasons stated in my decision in In the Matter of Chuck Hatch and Golden Castle, Hartfield (No.1), (1974) 37/D/80, I am satisfied that Mr Humphrey is entitled to a right to graze cattle over the whole of the land comprised in the Register Unit.

So far as numbers are concerned, Mr Humphrey gave evidence that he had kept up to 30 cattle. He was not cross-examined as to the capacity of his farm to maintain cattle during the winter, and it appears to me that the 12 cattle specified in his application is not an unreasonable number.

There was no evidence regarding the other rights set out in the registration. I cannot, therefore, confirm those rights in so far as they relate to Mr Baird's land. On the other hand, there is no objection relating to them from either of the other persons registered in the Ownership section of the Register Unit. In these circumstances it appears to me that the right course is to confirm the registration with the following modification, namely the restriction of the rights over the land the subject of the Objection to pasture for 12 cattle. *estovers*.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 17th day of December 1974.


 Chief Commons Commissioner